

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS  
EASTERN DIVISION

JOHN J. VAUGHN, GERALD A.  
KALBFLEISCH, MICHAEL HATHAWAY, and  
MYRTLE HATHAWAY,

Plaintiffs,

v.

PUTNAM INVESTMENT MANAGEMENT,  
LLC and PUTNAM RETAIL MANAGEMENT,  
LLP,

Defendants.

Civil Action No. 04-10988-GAO

ORAL ARGUMENT REQUESTED

**PLAINTIFFS' MOTION TO COMPEL PUTNAM TRUSTEES TO RESPOND TO  
SUBPOENAS**

Plaintiffs respectfully move the Court for an order compelling John A. Hill, Charles B. Curtis, W. Thomas Stephens, John H. Mullin, III, Myra R. Drucker, Jameson A. Baxter, Robert E. Patterson, Elizabeth T. Kennan, Dr. Paul L. Joskow, Ronald L. Jackson, W. Nicholas Thorndike, George Putnam III and Richard B. Worley (collectively, "Putnam Trustees") to respond to certain subpoenas for the production of documents and notices of depositions. The grounds for this Motion are set forth in the accompanying Confidential Memorandum of Law and the Appendices thereto.

**REQUEST FOR ORAL ARGUMENT**

Pursuant to Local Rule 7.1(D), Plaintiffs respectfully request a hearing on the within motion.

Dated: December 1, 2006

Respectfully submitted,

/s/ David E. Marder

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**CERTIFICATION UNDER LOCAL RULES 7.1(a)(2) and 37.1**

The undersigned hereby certifies that Plaintiffs' counsel have conferred with counsel for the Putnam Trustees and have attempted in good faith to resolve or narrow the issues raised by the within motion.

/s/ David E. Marder

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on December 1, 2006, a true copy of Plaintiffs' Motion To Compel Putnam Trustees to Respond to Subpoenas was served electronically through the ECF System and by first class mail, postage prepaid, to those counsel of record indicated as non-registered ECF participants. A true copy of this document was delivered by hand to Peter Welsh, Esq., Ropes and Gray LLP, One International Place, Boston, MA 02110 as counsel of record for the Putnam Trustees.

/s/ David E. Marder